## PATENT COOPERATION TREATY

# **PCT**

# TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference  NTK05-1657WO			ce	FOR FURTHER A	CTION	See Form PCT/IPEA/416	
International application No.				International filing da	te (day/month/year)	Priority date (day/month/year)	
PCT/JP2005/002211			211	15.02.200	5	23.02.2004	
Internation	International Patent Classification (IPC) or national classification and IPC						
C07D305/06 (2006.01)							
Applicant NIPPON STEEL CHEMICAL CO., LTD.							
1.	1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.						
2.	This R	EPORT consists	of a total of _	5	sheets, including	this cover sheet.	
3.	This re	eport is also acco	mpanied by Al	NNEXES, comprising:			
	a.	(sent to the	applicant and	to the International Bu	reau) a total of 2	sheets, as follows:	
	a. (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:  sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).						
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental						
		Box.					
	b	(sent to the	International I	Bureau only) a total of	(indicate type and number	of electronic carrier(s))	
			•		- '- 1' - 4 - 1 '- d - C 1-	, containing a sequence listing and/or tables	
				readable form only, a rative Instructions).	s indicated in the Supplei	mental Box Relating to Sequence Listing (see	
4.	This re	eport contains inc	lications relatio	ng to the following iten	ns:		
	$\boxtimes$	Box No. I	Basis of the	report			
		Box No. II	Priority				
		Box No. III	Non-establis	shment of opinion with	regard to novelty, inventi	ive step and industrial applicability	
			Lack of unit	ty of invention			
	Box No. V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement						
Box No. VI Certain docu			Certain docu	uments cited			
	$\boxtimes$	Box No. VII	Certain defe	ects in the international	application		
		Box No. VIII	Certain obse	ervations on the interna	tional application		
Date of s	submiss	ion of the deman	d		Date of completion of thi	s report	
Name an	Name and mailing address of the IPEA/JP				Authorized officer		
Facsimil	e No.				Telephone No.		

International application No.

PCT/JP2005/002211

Box	No. I	I Basis of the report					
1.		h regard to the language, this report is based on the internatio cated under this item.	nal application in the language in wh	ich it was filed, unless otherwise			
	This report is based on translations from the original language into the following ,						
		which is the language of a translation furnished for the purp international search (Rule 12.3 and 23.1(b))	oses of:				
		publication of the international application (Rule 12.4	)				
		international preliminary examination (Rule 55.2 and/	for 55.3)				
2.	rece	With regard to the <b>elements</b> of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to his report):					
		the international application as originally filed/furnished					
	$\boxtimes$	the description:					
		pages 1-12		as originally filed/furnished			
		pages*	received by this Authority on				
	_	pages*	received by this Authority on				
	$\boxtimes$	the claims:					
		nos. 2,3		as originally filed/furnished			
		nos.*	as amended (together w	ith any statement) under Article 19			
		nos.* 1	received by this Authority on1	7.01.2006			
	_	nos.*	received by this Authority on				
	Ш	the drawings:					
		sheets		as originally filed/furnished			
		sheets*	received by this Authority on				
		sheets*	received by this Authority on				
	Ш	a sequence listing and/or any related table(s) – see Supplem	ental Box Relating to Sequence Listi	ng.			
3.	Ш	The amendments have resulted in the cancellation of:					
		the description, pages					
		the claims, nos.					
		the drawings, sheets/figs					
		the sequence listing (specify):					
		any table(s) related to sequence listing (specify):					
4.		This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as fi					
		the description, pages					
		the claims, nos.					
		the drawings, sheets/figs					
		the sequence listing (specify):					
		any table(s) related to sequence listing (specify):					
*	If ite	em 4 applies, some or all of those sheets may be marked "sup	erseded."				

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement				
1.	Statement			
	Novelty (N)	Claims	1-3	YES
		Claims		NO
	Inventive step (IS)	Claims	1-3	YES
		Claims		NO
	Industrial applicability (IA	A) Claims	1-3	YES
		Claims		NO

#### 2. Citations and explanations (Rule 70.7)

Document 2: JP 11-335314 A (Mitsui Chemicals Co., Ltd.),
7 December 1999

Document 3: JP 10-204002 A (Dainippon Ink & Chemicals, Incorporated), 4 August 1998

Document 4: JP 06-329569 A (New Japan Chemical Co., Ltd.), 29 November 1994

#### Claims 1 to 3

Document 1 sets forth an aromatic oxetane compound having an aromatic residual group represented by general formula (5) in the description of this application.

Documents 2 to 4 indicate that a substituted aromatic compound is subjected to nuclear hydrogenation in the presence of a hydrogenation catalyst in order to obtain a substituted alicyclic compound (see in particular document 2, claim 2 and embodiments; document 3, claim 1 and embodiments; and document 4, claim 1 and embodiments).

However, the feature wherein an aromatic oxetane compound having an aromatic residual represented by general formula (4) or (5) is subjected to nuclear

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

hydrogenation, thereby producing a corresponding alicyclic oxetane compound, is neither disclosed nor suggested in documents 1 to 4 which are related to said invention.

That being the case, the invention set forth in claims 1 to 3 is novel and involves an inventive step in relation to documents 1 to 4.

The following defects in the form or contents of the international application have been noted:

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Box No. VII	Certain defects in	the international	application
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out claim by claim.

In a letter received by this International Preliminary Examining Authority on 17 January 2006, the applicant has amended the claims in page by page, but is normally preferable that amendments to claims be carried

Form PCT/IPEA/409 (Box No. VII) (January 2004)